



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

31 October 2008

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

ADEM = Alabama Department of Environmental Management
 AGU = American Geophysical Union
 ANPRM = Advance Notice of Proposed Rulemaking
 AST = Aboveground storage tank
 ATCM = Airborne toxic control measure
 CAA = Clean Air Act
 CAAWG = Clean Air Act Working Group
 CAIR = Clean Air Interstate Rule
 Cal/EPA = California Environmental Protection Agency
 CAMR = Clean Air Mercury Rule
 CCR = *California Code of Regulations*
 CEQA = California Environmental Quality Act
 CFR = *Code of Federal Regulations*
 COFR = Certificates of Financial Responsibility
 COMAR = *Code of Maryland Regulations*
 CRNR = *California Regulatory Notice Register*
 DOI = U.S. Department of the Interior
 EA = Environmental Assessment
 EPA = U.S. Environmental Protection Agency
 EPCRA = Emergency Planning and Community Right-to-Know Act
 F.A.C. = Florida Administrative Code
 FAR = Federal Acquisitions Regulation
 FAW = *Florida Administrative Weekly*
 FDEP = Florida Department of Environmental Protection
 FEMA = Federal Emergency Management Agency
 FIP = Federal Implementation Plan
 FR = *Federal Register*
 GDF = Gasoline Dispensing Facility
 GHG = Greenhouse gases
 GRC = Glenn Research Center
 GSE = Ground support equipment
 HCFC = Hydrochlorofluorocarbon
 HSC = Health and Safety Code
 HTML = HyperText Markup Language
 ICE = Internal combustion engine
 IRIS = Integrated risk information system
 KSC = Kennedy Space Center
 MARSEC = Maritime Security
 MDE = Maryland Department of the Environment
 NACEPT = National Advisory Council for Environmental Policy and Technology
 NAAQS = National Ambient Air Quality Standards
 NASA = National Aeronautics and Space Administration

NESHAP = National Emission Standards for Hazardous Air Pollutants
 NFPA = National Fire Protection Association
 NFS = NASA FAR Supplement
 NMAC = New Mexico Administrative Code
 NOx = Nitrogen oxide
 NPRM = Notice of Proposed Rulemaking
 NRC = Nuclear Regulatory Commission
 NRTL = Nationally Recognized Testing Laboratory
 NSPS = New Source Performance Standards
 OEPA = Ohio Environmental Protection Agency
 PFAC = Perfluoroalkyl carboxylate
 PFAS = Perfluoroalkyl sulfonate
 PM = Particulate matter
 PSD = Prevention of Significant Deterioration
 PTI = Permit to install
 RCRA = Resource Conservation and Recovery Act
 REACH = Registration, Evaluation, and Authorisation of Chemicals
 RIN = Regulatory Identification Number
 RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
 SDoC = Supplier's Declaration of Conformity
 SIP = State Implementation Plan
 SJRWMD = St. Johns River Water Management District
 SNUR = Significant New Use Rule
 SVHC = Substances of Very High Concern
 TAC = Texas Administrative Code
 TBD = To be determined
 TexReg = *Texas Register*
 TMDL = Total maximum daily load
 TSCA = Toxic Substances Control Act
 U.S. = United States
 UAC = Utah Administrative Code
 USDA = U.S. Department of Agriculture
 UST = Underground storage tank
 Va.R. = *Virginia Register*
 VAC = Virginia Administrative Code
 VCS = Voluntary carbon standard
 VDEQ = Virginia Department of Environmental Quality
 VOC = Volatile organic compound
 VSMP = Virginia Storm Water Management Program
 WSTF = White Sands Test Facility

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed103108-1	Biobased Products	10/23/2008	73 FR 63297	Proposed Rule	<p>U.S. Department of Agriculture</p> <p>Designation of Biobased Items for Federal Procurement [7 CFR Part 2902]</p> <p>Proposes to amend the Guidelines for Designating Biobased Products for Federal Procurement. Amendments would designate the following nine types of items for which biobased products would be afforded federal procurement preference:</p> <ul style="list-style-type: none"> ▪ Chain and cable lubricants ▪ Corrosion preventatives ▪ Food cleaners ▪ Forming lubricants ▪ Gear lubricants ▪ General purpose household cleaners ▪ Industrial cleaners ▪ Multipurpose cleaners ▪ Parts wash solutions <p>USDA also is proposing minimum biobased content for each of these items. Comments due 12/22/2008 [RIN 0503-AA33].</p> <p>NASA's space vehicle applications are exempt from these procurement requirements.</p>	
Fed103108-2	CAA-NAAQS PM2.5	10/22/2008	73 FR 62902	Final Rule	<p>Completeness Findings for Section 110(a) State Implementation Plans Pertaining to the PM2.5 NAAQS [40 CFR Part 52]</p> <p>Final findings concerning whether or not each state has submitted a complete SIP that provides the basic program elements necessary to implement the 1997 PM2.5 NAAQS. The following states of interest to NASA are included:</p> <ul style="list-style-type: none"> ▪ Alabama-Complete submittal. ▪ California-Failed to submit a complete SIP for certain requirements. EPA has until 11/21/2010 to approve a SIP or to finalize a FIP for California. ▪ District of Columbia-Failed to submit a complete SIP for certain requirements. However, the requirements already have been addressed by a FIP that remains in place; therefore, this action will not trigger any additional FIP obligations. ▪ Florida-Complete submittal. ▪ Hawaii-Failed to make a submittal to satisfy the requirements. EPA has until 11/21/2010 to approve a SIP or to finalize a FIP for Hawaii. ▪ Louisiana-Complete submittal. ▪ Maryland-Complete submittal. ▪ New Mexico-Complete submittal. ▪ Ohio-Complete submittal. ▪ Texas-Complete submittal. ▪ Utah-Complete submittal. ▪ Virginia-Complete submittal. <p>Effective 11/21/2008.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed103108-3	CAA-NESHAP Halogenated Solvent Cleaning	10/20/2008	73 FR 62383	Proposed Rule	<p>National Emission Standards for Halogenated Solvent Cleaning [40 CFR Part 63]</p> <p>Requests comments on certain issues granted reconsideration pertaining to the NESHAP for Halogenated Solvent Cleaning (72 FR 25137, 05/03/2007). Specifically, requests comments on the following:</p> <ul style="list-style-type: none"> Revised risk assessment Use of the 2002 National Emissions Inventory data in lieu of the 1999 National Emissions Inventory data that were used at proposal Margin of safety determination Determination under CAA Section 112(d)(6) Compliance deadline <p>Proposes various regulatory options in response to the petition for reconsideration received. Comments due 12/04/2008. If anyone requests to speak at a public hearing by 10/30/2008, a hearing will be held 11/04/2008 [RIN 2060-AP07].</p>	
Fed103108-4	Coast Guard Standards for Marine Equipment	10/31/2008	73 FR 65155	Final Rule	<p>U.S. Coast Guard</p> <p>Review and Update of Standards for Marine Equipment [46 CFR Parts 32, 50, 52, 53, 54, 56, 58, 59, 61, 62, 63, 76, 92, 110, 111, 112, 113, 162, 170, 175, 176, 177, 179, 181, 182, 183, and 185]</p> <p>Amends rules relating to standards for marine equipment and updates the incorporation of references in those rules to national and international safety standards. Changes fall into eight categories:</p> <ul style="list-style-type: none"> Revisions to authority citations Correction of prior inadvertent errors or deletions Deletion of obsolete or superfluous material Adoption of International System of Units measurements Reduction of regulatory thresholds Stylistic revisions Updating cross references Updating references to industry standards <p>Affects only inspected commercial vessels. Imposes no new requirements. Effective 12/01/2008 [RIN 1625-AA83].</p>	
Fed103108-5	Commercial Space Launch Expendable Launch Vehicles	10/27/2008	73 FR 63630	Final Rule	<p>Federal Aviation Authority</p> <p>Licensing and Safety Requirements for Launch [14 CFR Part 417]</p> <p>Corrects reference errors that appeared in a final rule (71 FR 50507, 08/25/2006) that amended commercial space transportation regulations governing the launch of expendable launch vehicles. Effective 10/27/2008 [RIN 2120-AG37].</p>	
Fed103108-6	Endangered Species Act Interagency Cooperation	10/27/2008	73 FR 63667	Proposed Rule	<p>U.S. Fish and Wildlife Service and National Marine Fisheries Service</p> <p>Announces availability of a Draft EA regarding the potential environmental effects of the proposed changes (73 FR 47868, 08/27/2008) to regulations governing interagency cooperation under the Endangered Species Act. The Draft EA is available on the DOI website. Comments due 11/06/2008.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed103108-7	Environmental Contaminants Child-Specific Exposure	10/30/2008	73 FR 64615	Notice	<p>Child-specific Exposure Factors Handbook</p> <p>Announces availability of a final report titled, "Child-Specific Exposure Factors Handbook." Provides updated information regarding various physiological and behavioral factors used in assessing children's exposure to environmental contaminants. These factors include the following:</p> <ul style="list-style-type: none"> Water ingestion Soil ingestion and non-dietary factors Inhalation rates Dermal factors including skin surface area and soil adherence factors Consumption of retail and home-grown foods Breast milk intake Body weight Activity pattern data Consumer product use <p>Also provides analysis of exposure factors data.</p>	
Fed103108-8	Environmental Indicators	10/30/2008	73 FR 64616	Notice	<p>Electronic Report on the Environment</p> <p>Announces the availability of the electronic Report on the Environment, an online site that provides access to the environmental and human health information contained in the 2008 Report on the Environment (05/20/2008), and in the 2008 Report on the Environment: Highlights of National Trends (09/24/2008), in one location and in a searchable format. Both documents are available on the Report on the Environment website.</p>	
Fed103108-9	Environmental Policy	10/27/2008	73 FR 63709	Notice	<p>National Advisory Council for Environmental Policy and Technology</p> <p>Gives notice of a meeting of the NACEPT. NACEPT provides advice to the EPA Administrator on a broad range of environmental policy, technology, and management issues. The purpose of the meeting is to discuss the draft findings from NACEPT's 20th anniversary report, sustainable water infrastructure, biofuels, EPA's 2009-2014 Strategic Plan Change Document, and EPA's Draft Information Access Strategy. Requests comments on two reports that will be prepared that seek to do the following:</p> <ul style="list-style-type: none"> Identify the issues and challenges EPA will face and should focus on over the next 5 to 10 years Review NACEPT's activities and accomplishments during its 20-year history <p>Meeting to be held 11/13/2008 and 11/14/2008 in National Harbor, Maryland.</p>	
Fed103108-10	Flood Hazards Flood Maps	10/20/2008	73 FR 62301	Notice	<p>Federal Emergency Management Agency; Department of Homeland Security</p> <p>Compendium of Flood Map Changes</p> <p>Announces availability of the Compendium of Flood Map Changes, which provides a list of changes made to the National Flood Insurance Program maps that went into effect from January 1, 2008, through June 30, 2008. Further information about the Compendium is available on the FEMA website.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed103108-11	Flood Hazards Flood Maps and Data	10/23/2008	73 FR 63184	Notice	Federal Emergency Management Agency; Department of Homeland Security Availability of Flood Hazard Maps and Data Announces availability of FEMA's update and conversion to digital of the National Flood Insurance Program flood hazard map inventory. As part of the Flood Map Modernization Program, FEMA will discontinue the public distribution of paper Flood Insurance Rate Maps, Flood Insurance Study reports, and related flood hazard map products. Digital map images and digital flood hazard data are FEMA's primary flood hazard information products, and will continue to be available through the FEMA Map Service Center . Effective 10/01/2009.	
Fed103108-12	Hazardous Substances Acute Exposure Guideline Levels	10/31/2008	73 FR 64944	Notice	National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances; Notice of Public Meeting Notice of meeting of the National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances. At this meeting, the Committee will address, as time permits, the various aspects of the acute toxicity and the development of Acute Exposure Guideline Levels for the following chemicals: acrylonitrile, allyl alcohol, aluminum chloride, antimony pentafluoride, bromoacetone, dichlorodimethyl silane, dichlorvos, dicrotophos, fenamiphos, malathion, methyl iodide, methyl trichlorosilane, mevinphos, nitrogen trifluoride, phosphorus pentafluoride, ricin, tear gas, tetrachloroethylene, and trimethylchlorosilane. Meeting to be held 12/03/2008 through 12/05/2008 in San Diego, California.	
Fed103108-13	Hazardous Substances Bisphenol A	10/21/2008	73 FR 62505	Notice	National Institutes of Health National Institute of Environmental Health Sciences; National Toxicology Program; Request for Information: Ongoing Research and Research Needs for Biological Effects of Exposure to Bisphenol A Requests information about a number of key research areas that have been identified in recent evaluations of bisphenol A. Specifically requests information on the following: <ul style="list-style-type: none"> ▪ Ongoing or planned research activities related to bisphenol A ▪ Specific data needs for any or all of certain priority areas ▪ Suggestions for beneficial research collaborations Responses due 12/01/2008 using the Bisphenol A Request for Information Web page . Bisphenol A is a key component of certain epoxy resins and other nonmetallics.	
Fed103108-14	Hazardous Substances Chemical Weapons Convention	10/27/2008	73 FR 63681	Notice	Bureau of Industry and Security; Department of Commerce Impact of Implementation of the Chemical Weapons Convention on Commercial Activities Involving "Schedule 1" Chemicals through Calendar Year 2008 Solicits comments about the impact that implementation of the Chemical Weapons Convention, through the Chemical Weapons Convention Implementation Act and the Chemical Weapons Convention Regulations, has had on commercial activities involving " Schedule 1 " chemicals. Comments due 11/26/2008.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed103108-15	Hazardous Substances Selenium	10/27/2008	73 FR 63706	Notice	<p>Notice of Data Availability: The Toxicity of Selenium to Aquatic Life as Related to Developing a Recommended Aquatic Life Criterion</p> <p>Announces the availability of a technical report titled "Effect of Selenium on Juvenile Bluegill Sunfish at Reduced Temperature." Describes the results from testing the toxicity of selenium to juvenile bluegill sunfish under winter temperature conditions. Also makes available a list of "References for Selenium Chronic Toxicity Data Obtained since 2004," indicating other information recently obtained. The report and list are available on EPA's website. Comments due 11/26/2008.</p>	
Fed103108-16	IRIS Tetrachloro-ethylene (Perchloro-ethylene)	10/29/2008	73 FR 64318	Notice	<p>Draft Toxicological Review of Tetrachloroethylene (Perchloroethylene): In Support of the Summary Information in the IRIS; Correction</p> <p>Corrects the location for the peer-review panel meeting to review the draft document titled, "Toxicological Review of Tetrachloroethylene (Perchloroethylene): In Support of Summary Information on the IRIS." Peer-review panel meeting to be held 11/13/2008 in Washington, D.C.</p>	
Fed103108-17	RCRA Solid Waste	10/30/2008	73 FR 64667	Final Rule	<p>Revisions to the Definition of Solid Waste [40 CFR Parts 260, 261, and 270]</p> <p>Revises the definition of solid waste to exclude certain hazardous secondary materials from regulation under RCRA Subtitle C. The purpose is to encourage safe, environmentally sound recycling and resource conservation and to respond to several court decisions concerning the definition of solid waste. Defines hazardous secondary materials as those that would be classified as hazardous wastes if discarded. Also promulgates regulatory factors for determining when recycling is legitimate. Effective 12/29/2008 [RIN 2050-AG31].</p>	NASA Centers should be aware of these changes.
Fed103108-18	Safety Electrical	10/22/2008	73 FR 62942	Notice	<p>Occupational Safety and Health Administration</p> <p>Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment; Limited Reopening of Record</p> <p>Requests comments on the proposed rule to revise the general industry and construction standards for electric power generation, transmission, and distribution work and for electrical protective equipment (70 FR 34821, 06/15/2005). The proposed rule includes a revised minimum approach distance tables that limit how close an employee (or a conductive object he or she is contacting) may get to an energized circuit part. After the rulemaking record on the proposal closed, an error was discovered in the calculation of minimum approach distances for certain voltages. Requests comments related to the affected minimum approach distances. Comments due 11/21/2008.</p>	
Fed103108-19	Safety Electrical Installation	10/29/2008	73 FR 64202	Final Rule	<p>Occupational Safety and Health Administration</p> <p>Electrical Standard; Clarifications; Corrections [29 CFR Part 1910]</p> <p>Clarifies the scope of a provision in the final rule (72 FR 7135, 02/14/2007) revising the electrical installation standard for general industry. Also addresses questions raised by stakeholders on the application of the provision and corrects typographical errors. Effective 10/29/2008 [RIN 1218-AB95].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed103108-20	Safety Electrical Product Safety Certification	10/20/2008	73 FR 62327	Notice	Occupational Safety and Health Administration Nationally Recognized Testing Laboratories; Supplier's Declaration of Conformity [29 CFR 1910] Requests comment on a proposal to permit the use of an SDoC as an alternative to the NRTL product-approval process. NRTLs are third-party laboratories that have met requirements for performing safety testing and certification of electrical and other products used in the workplace. In contrast, an SDoC is a written statement, produced by an equipment manufacturer or supplier, that a product meets or conforms to a specified test standard or a set of requirements. SDoCs currently are accepted for certain electrical products in all European Union countries. Comments due 01/20/2009.	
Fed103108-21	Safety NFPA Codes and Standards	10/28/2008	73 FR 63946	Notice	National Institute of Standards and Technology NFPA: Request for Comments on NFPA's Codes and Standards Requests comments on the 60 technical reports that will be published in the NFPA's 2009 Fall Revision Cycle. The 2009 Fall Revision Cycle Report on Proposals is available from NFPA's Web site . Comments due 03/06/2009.	
Fed103108-22	Safety NFPA Codes and Standards	10/28/2008	73 FR 63948	Notice	National Institute of Standards and Technology The NFPA proposes to revise some of its safety codes and standards and requests proposals from the public to amend existing or to develop new NFPA safety codes and standards. Proposal due dates are listed for each standard.	
Fed103108-23	Security Ammonium Nitrate	10/29/2008	73 FR 64280	Proposed Rules	Department of Homeland Security Secure Handling of Ammonium Nitrate Program [6 CFR Chapter I] Seeks comment on proposed regulations to regulate the sale and transfer of ammonium nitrate to prevent the misappropriation or use of ammonium nitrate in an act of terrorism. Comments due 12/29/2008 [RIN 1601-AA52].	
Fed103108-24	Security Chemical Facility Anti-Terrorism Standards	10/27/2008	73 FR 63719	Notice	Department of Homeland Security National Protection and Programs Directorate; Notice of Availability of Risk-based Performance Standards Guidance for the Chemical Facility Anti-Terrorism Standards Notice of availability of the draft " Risk-based Performance Standards " guidance associated with the Chemical Facility Anti-Terrorism Standards. The guidance was developed to assist high-risk chemical facilities in selecting and implementing appropriate protective measures and practices to meet the applicable risk-based performance standards. Comments due 11/26/2008.	
Fed103108-25	TSCA Carbon Nanotubes	10/31/2008	73 FR 64946	Notice	Toxic Substances Control Act Inventory Status of Carbon Nanotubes [40 CFR 720, 723] Notice of the TSCA requirements potentially applicable to carbon nanotubes. EPA generally considers carbon nanotubes to be chemical substances distinct from graphite or other allotropes of carbon listed on the TSCA Inventory.	NASA users of carbon nanotubes should be aware of this regulation and any potential impacts to the supply chain.

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC currently is tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins.

Significant Dates <i>italic = target date</i>		Subject Action [RIN]	Type of Action	Comments
NPRM	<i>1/2009</i>	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	<i>1/2011</i>			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	<i>11/2008</i>	HCFC Labeling [2060-AO68]	Pre-rule	Administrative requirement for certain space vehicle materials.
Final Action	<i>TBD</i>			Would require containers of materials containing HCFCs to bear warning statements.
NPRM	<i>06/2008</i>	NESHAP: Risk and Technology Review, Phase II Group 2B [2060-AO92]	Pre-rule	Possible space vehicle materials or operations impacts.
Final Action	<i>01/2009</i>			Evaluation of residual risk remaining after implementation of NESHAP regulations. Could impose further restrictions on operations subject to the Aerospace NESHAP, including coating, stripping, and cleaning of space flight hardware.
ANPRM	07/30/2008 73 FR 44353	Regulation of Greenhouse Gases under the CAA [2060-AP12]	Pre-Rule	Potential for program impacts unknown at this time.
				Solicits input regarding the regulation of GHGs under the CAA.
NPRM	10/10/2008 73 FR 60431	NESHAP: Risk and Technology Review, Phase II Group 2A [2060-AO91]	Proposed Rule	Possible space vehicle materials or supply chain impacts.
Comments Due	11/24/2008			Evaluation of residual risk remaining after implementation of NESHAP regulations. Includes the manufacture of various types of elastomers, such as Hypalon™. Proposes no further restrictions on covered sources; however, public comments could influence addition of restrictions during comment period.
Final Action	<i>10/2009</i>			
NPRM	10/06/2008 73 FR 58351	Area Source NESHAP for Miscellaneous Chemical Manufacturing [2060-AM19]	Proposed Rule	Possible space vehicle materials or supply chain impacts.
Comments Due	11/05/2008			Will impose requirements on area sources that manufacture chemicals; could drive reformulations to avoid regulatory requirements.
Final Action	<i>01/2009</i>			
NPRM	01/03/2007 72 FR 69	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	<i>05/2009</i>			Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	03/07/2006 71 FR 11483	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	<i>10/2008</i>			Rule could limit new U.S. production of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
NPRM	07/14/2008 73 FR 40230	Control Techniques Guidelines for Coating Operations [2060-AP01]	Final Rule	Possible space vehicle materials or supply chain impacts.
Final Action	10/07/2008 73 FR 58481			Sets guidelines for states to use in establishing VOC limits in ozone non-attainment areas for the following five product categories: <ul style="list-style-type: none"> ▪ Miscellaneous metal products coatings ▪ Plastic parts coatings ▪ Auto and light-duty truck assembly coatings ▪ Fiberglass boat manufacturing materials ▪ Miscellaneous industrial adhesives Could affect material formulations.

1.3 Significant News and Other Developments

1.3.1 NASA Data Indicates Methane Levels in the Atmosphere Increasing

A NASA study found that for the first time in approximately a decade, the amount of methane in the Earth's atmosphere increased in 2007. Methane levels in the atmosphere account for about one-fifth of the human contribution to GHG-driven global warming. Before 2007, the leveling off of methane levels had suggested that the rate of methane's emission from Earth's surface was being approximately balanced by the rate of its destruction in the atmosphere. Research published this week in the AGU's "Geophysical Review Letters" indicates that an imbalance has resulted in several million metric tons of additional methane in the atmosphere.

The scientists analyzed air samples collected by the NASA-funded Advanced Global Atmospheric Gases Experiment ground network from 1997 through April 2008. The network was created in the 1970s in response to international concerns about chemicals depleting the ozone layer. Further information is available at AGU's [website](#).

1.3.2 ECHA Includes Fifteen Substances in the REACH Candidate List of Substances of Very High Concern

On 28 October 2008, ECHA included 15 substances in the Candidate List of SVHCs for authorization. The list will be updated regularly when more substances are identified as SVHCs. On 8 October 2008, the Member State Committee unanimously agreed on the identification of 14 substances as SVHCs. Beforehand, one substance was identified as an SVHC without Member State Committee involvement because no public comments were submitted. Within 45 days, retailers and manufacturers must be able to provide consumers, upon request, with information about products that contain all substances on the candidate list that are present in a concentration above 0.1 percent by weight. The 15 SVHC chemicals included on the candidate list are provided below; additional information is available on ECHA's [website](#):

- Anthracene (204-371-1)
- 4,4'-Diaminodiphenylmethane (202-974-4)
- Dibutyl phthalate (201-557-4)
- Cobalt dichloride (231-589-4)
- Diarsenic pentaoxide (215-116-9)
- Diarsenic trioxide (215-481-4)
- Sodium dichromate (234-190-3, 7789-12-0, 10588-01-9)
- 5-tert-butyl-2,4,6-trinitro-m-xylene (musk xylene) (201-329-4)
- Bis(2-ethyl(hexyl)phthalate) (DEHP) (204-211-0)
- Hexabromocyclododecane (HBCDD) and all major diastereoisomers identified (α - HBCDD, β -HBCDD, γ -HBCDD) (247-148-4 and 221-695-9, 134237-50-6, 134237-51-7, 134237-52-8)
- Alkanes, C10-13, chloro (Short Chain Chlorinated Paraffins) (287-476-5)
- Bis(tributyltin)oxide (200-268-0)
- Lead hydrogen arsenate (232-064-2)
- Benzyl butyl phthalate (201-622-7)
- Triethyl arsenate (427-700-2)

1.3.3 Final Amendments to the Emergency Planning and Community Right-to-Know Act

On 17 October 2008, EPA issued the [prepublication version](#) of the final rule to amend several changes to the Emergency Planning (Section 302), Emergency Release Notification (Section 304), and Hazardous Chemical Reporting (Sections 311 and 312) regulations under the EPCRA. The changes provide additional clarification to the reporting requirements and revise the Tier I and Tier II reporting forms. The final rule will become effective 30 days after publication in the FR. The RRAC PC prepared a regulatory summary regarding the final rule, available on the RRAC PC [website](#).

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons

There will be no further CAAWG telecons in 2008. Telecons will resume in January 2009. Please send questions, comments, and suggestions for agenda topics to Sharon Scroggins (256-544-7932, sharon.scroggins@nasa.gov).

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL103108-1	Air CAIR	10/26/2008	Notice of Public Hearing 350	Hearing	<p>335-ADEM 3-Air Pollution Control Program</p> <p>Proposes to revise the following rules:</p> <ul style="list-style-type: none"> 335-3-5 Control of Sulfur Compound Emissions 335-3-8 Control of Nitrogen Oxides Emissions 335-3-18 Acid Rain Program 335-3-21 Control of Mercury Emissions <p>Proposed amendments include the following:</p> <ul style="list-style-type: none"> Minor technical corrections made by EPA to CAIR and the Acid Rain Program Rules to clarify text that potentially could be misleading. Updating the thermal efficiency calculation in the cogeneration unit definition to reflect changes made by EPA to CAIR for boilers co-firing biomass that will make it possible for some additional units to qualify for the cogeneration unit exemption in these rules. Deletion of ADEM's mercury rules in response to vacatur of the CAMR on 02/08/2008 by the U.S. Court of Appeals. <p>A public hearing will be held 12/10/2008 at ADEM, Montgomery, Alabama.</p>	
AL103108-2	Hazardous Waste	10/26/2008	Notice of Public Hearing 421	Proposed Rule Hearing	<p>335-ADEM 14-Hazardous Waste Program</p> <p>Proposes that the Environmental Management Commission adopt regulations reflecting changes made to EPA's regulations from 07/01/2007 through 06/30/2008. The rules also have been revised to update and clarify existing requirements. The proposed amendments include the following:</p> <ul style="list-style-type: none"> Reformatting of definitions Addition of language to clarify certain regulations in the existing rules Modification of the F019 listing to exclude wastewater treatment sludges from the manufacturing of motor vehicles using a zinc phosphating process under certain conditions Addition of requirements concerning the availability of records for review, corrective action cost estimates, and transporter permit applications Correction of a number of typographical and citation errors in the existing regulations <p>A public hearing will be held 12/11/2008 at ADEM, Montgomery, Alabama.</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA103108-1	Air Gasoline Dispensing Equipment	10/24/2008	CRNR 2008, 43z, p. 1890	Proposed Action	<p>Air Resources Board</p> <p>Gasoline Dispensing Facility Hoses 2008 [17 CCR 94011]</p> <p>Proposes to require that existing GDF hoses be replaced by 2014 with hoses that reduce reactive organic gases permeation. A public meeting is scheduled for 12/11/2008 and 12/12/2008 at the Cal/EPA's Air Resources Board in Sacramento, California. Comments due 12/10/2008.</p> <p>Further information is available on the ARB website and the rulemaking website.</p>	
CA103108-2	Air Motor Vehicle Emissions	10/24/2008	CRNR 2008, 43z, p. 1893	Proposed Action	<p>Air Resources Board</p> <p>Greenhouse Gas Emissions from Heavy-duty Vehicles [17 CCR 95300-95312]</p> <p>Proposes to require certain new and existing on-road tractors and trailers operating on California highways to be equipped with technologies that would improve fuel efficiency. A meeting is scheduled 12/11/2008 and 12/12/2008 at the Cal/EPA's Air Resources Board in Sacramento, California.</p>	
CA103108-3	Air Motor Vehicle Emissions	10/24/2008	CRNR 2008, 43z, p. 1875	Proposed Action	<p>Air Resources Board</p> <p>Truck/Bus Rule 2008 [13 CCR 1956.8, 2022, 2025, 2027, 2449, 2451-2456, 2458, 2461, 2462, 2479, and 2485; and 17 CCR 93116]</p> <p>Proposes to amend the existing regulations for the following:</p> <ul style="list-style-type: none"> Off-road diesel vehicles Mobile cargo handling equipment at ports and intermodal rail yards On-road, diesel-fueled, heavy-duty drayage trucks On-road, heavy-duty, diesel-fueled vehicles owned or operated by public agencies and utilities Idling emissions from new and in-use trucks Heavy-duty engines and vehicle exhaust emissions standards and test procedures The ATCM for portable diesel engines rated at 50 horsepower and greater Portable equipment registration program <p>A meeting is scheduled 12/11/2008 and 12/12/2008 at Cal/EPA's Air Resources Board in Sacramento, California.</p> <p>Further information about the Truck and Bus Rule is available on the ARB website and the rulemaking website.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA103108-4	Air Non-road Engine Standards	10/31/2008	73 FR 64943	Notice Correction	U.S. Environmental Protection Agency California State Nonroad Engine Pollution Control Standards; California Nonroad Compression Ignition Engines; Within-the-Scope Request; Opportunity for Public Hearing; Correction of Docket Number Corrects the docket number provided in the original notice on 10/07/2008 [73 FR 58583] . EPA is seeking comments regarding the state's amendments that affect emission standards for three broad categories of new compression ignition engines. The relevant dates are unchanged from the original notice: comments due 11/21/2008. See original notice for further information.	
CA103108-5	Air SIP	10/24/2008	73 FR 63408	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; State of California; 2003 State Strategy and 2003 South Coast Plan for One-hour Ozone and Nitrogen Dioxide [40 CFR Part 52] Proposes amendments to two SIP revisions to provide for attainment of the 1-hour ozone standard and maintenance of the nitrogen dioxide standard in the Los Angeles-South Coast Air Basin. Comments due 11/24/2008.	
CA103108-6	CEQA	10/31/2008	CRNR 2008, 44z, p. 1952	Final Rule	California Resources Agency California Environmental Quality Act [14 CCR 15387, Appendix C] Amendments to the CEQA Guidelines, without regulatory effect, to reflect recent legislative changes and to make administrative corrections. Further information about CEQA is available on the Resources Agency website.	
CA103108-7	Safety Fire Extinguishing Systems	10/24/2008	CRNR 2008, 43z, p. 1898	Proposed Action	CA Office of the State Fire Marshall Automatic Fire Extinguishing Systems (Type L) [19 CCR 901, 905, and 905.2; California HSC Sections 13195, 13196.5 and 13197] Proposes to develop fees to control servicing, testing, and maintaining automatic fire suppression systems—a type "L" license fee. If requested, a public meeting will be scheduled for 12/10/2008 at the Resources Building in Sacramento, California. Comments due 12/08/2008. Further information is available on the rulemaking website.	
CA103108-8	Water TMDL-Los Angeles River	10/24/2008	CRNR 2008, 43z, p. 1905	Final Rule	State Water Resources Control Board Total Maximum Daily Load for Metals in the Los Angeles River and its Tributaries [23 CCR 3939.19] Amends Los Angeles Water Quality Control Plan, Resolution R2007-014, which re-adopts a TMDL for metals in the Los Angeles River and its impaired tributaries. Effective 10/14/2008.	

2.2.1 California Climate Action Registry Recognized by VCS Association

The [California Climate Action Registry](#) announced its approval by the [Voluntary Carbon Standard \(VCS\) Association](#) as the first independent GHG offset program the Association has recognized. According to the Registry, recognition by VCS provides the foundation for establishing common global standards for voluntary GHG emission reduction projects and their offsets.

2.2.2 California Climate Action Registry Co-Digestion Protocol

The [California Climate Action Registry](#) is developing a Co-Digestion Protocol to provide an accurate GHG accounting methodology for GHG reduction projects that co-digest organic waste streams that otherwise would have gone to anaerobic treatment and disposal systems such as solid waste landfills, anaerobic lagoons, and wastewater treatment facilities. Co-digestion projects can prevent the release of methane to the atmosphere by capturing and combusting methane gas. A public meeting to kick off development of the protocol is scheduled for 13 November 2008 in Los Angeles, California. Further information regarding this meeting and other events is available on the Registry's [Calendar of Events](#) site.

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL103108-1	Air General Provisions	10/24/2008	FAW Notice #6272619	Proposed Rule	Chapter 62–FDEP 204–Air Pollution Control–General Provisions Proposes rule amendments to adopt-by-reference recent federal air pollution regulations at 40 CFR Parts 52 and 89, as described below: <ul style="list-style-type: none"> 40 CFR 52, Approval and Promulgation of Implementation Plans, Subpart K, Florida: <ul style="list-style-type: none"> Updated plan-conditional approvals; revises definitions of new emissions units and significant emissions rate; withdraws the request that EPA include a significant emissions rate for mercury in the Florida SIP; and revises record-keeping requirements. Updated State Effective and EPA Approval Dates for EPA approved regulations. 40 CFR 89, Control of Emissions from New and In-Use Nonroad Compression-Ignition Engines: <ul style="list-style-type: none"> Added criteria for rule applicability and exemptions. Added definitions for amphibious vehicle, marine engine, and sulfur-sensitive technology. Updated contact information and reference material titles and 40 CFR 89 Appendix locations. Comments due 11/14/2008.	KSC should be aware of these proposed amendments.
FL103108-2	Coast Guard Security Zone	10/20/2008	73 FR 62235	Proposed Rule	U.S. Coast Guard Security Zone; West Basin, Port Canaveral Harbor, Cape Canaveral, FL [33 CFR Part 165] Proposes to establish a security zone encompassing the navigable waters of the West Basin, Port Canaveral Harbor, Cape Canaveral, Florida. Security zone would be activated 4 hours before the scheduled arrival of a cruise ship at the West Basin. It is only enforceable during MARSEC Levels 2 and 3 or when there is a specific credible threat during MARSEC Level 1. Would remain activated until the departure of all cruise ships from the West Basin. Comments due 12/19/2008 [RIN 1625-AA87].	
FL103108-3	Conservation Florida Forever	10/31/2008	FAW Notice #6354099	Notice Hearing	Chapter 62–Florida Forever Announces a public hearing to discuss and approve proposed amendments to the SJRWMD's 2008 updated Florida Forever Plan on 11/11/2008 at SJRWMD, Palatka, Florida.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL103108-4	Endangered Species Florida Manatee	10/24/2008	73 FR 63420	Proposed Rule	National Aeronautics and Space Administration Protection of the Florida Manatee [48 CFR 1852] Proposes to revise the NASA FAR Supplement to update the Protection of the Florida Manatee clause (NFS 1852.247-71) to reflect current technical requirements and organizational points of contact to ensure that information essential to protecting the endangered manatee will be properly conveyed to contractors working onsite at KSC. Comments due by 12/23/2008.	
FL103108-5	Storm Water Permitting	10/24/2008	FAW Notice #6164367	Proposed Rule	Chapter 62–FDEP 621–Generic Permits Proposes rule amendments as follow: <ul style="list-style-type: none"> Revise FDEP Forms 62-621.300(4)(b), 62-621.300(5)(b) and 62-621.300(6) to allow applicants to submit the form(s) using FDEP's electronic permitting application. Provide minor clean up of existing language in the forms and document number 62-621.300(4)(a), Generic Permit for Storm Water Discharge from Large and Small Construction Activities. Comments due 11/14/2008.	
FL103108-6	Water SJRWMD	10/24/2008	FAW Notice #6343623	Final Rule	Chapter 40C–SJRWMD 4–Environmental Resource Permits: Surface Water Management Systems Finalizes amendments to the drainage basin and regional watershed figures (Figure 12.2.8-1 and figure in Appendix M) in the " Applicant's Handbook: Management and Storage of Surface Waters ," Effective 11/05/2008.	
FL103108-7	Water SJRWMD	10/24/2008	FAW Notice #6322186	Proposed Rule	Chapter 40C–SJRWMD 2–Permitting of Consumptive Uses of Water Proposes to amend the sections of Chapter 40C-2, F.A.C., that regulate small uses of irrigation below the consumptive use permit thresholds. Comments due 11/14/2008.	
FL103108-8	Water SJRWMD	10/24/2008	FAW Notice #6320246	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting to discuss regulatory and non-regulatory matters, scheduled for 11/11/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL103108-9	Water SJRWMD	10/24/2008	FAW Notice #6334893	Notice Workshop	Chapter 40C–SJRWMD Announces a public workshop to discuss SJRWMD events and projects, scheduled for 11/10/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL103108-10	Water SJRWMD	10/24/2008	FAW Notice #6320343	Notice Meeting	Chapter 40C–SJRWMD Announces a business meeting of the Projects and Land Committee on 11/06/2008 in Sebastian, Florida.	
FL103108-11	Water TMDLs	10/24/2008	FAW Notice #6319664	Notice Meeting	Chapter 62–Total Maximum Daily Loads The purpose of this meeting is to present information and to receive public comments on FDEP's statewide Mercury TMDL project. This meeting will provide a detailed status update regarding the project. The meeting will be held on 11/5/2008 at FDEP, Tallahassee, Florida.	
FL103108-12	Water TMDLs	10/31/2008	FAW Notice #6364672	Notice Rule Development Workshop	Chapter 62–FDEP 304.520–Indian River Lagoon TMDLs TMDLs and their allocations will be established for the pollutants identified as causing the impairment for the impaired waters in the Indian River Lagoon Basins. A workshop will be held 11/19/2008 at SJRWMD, Palm Bay Service Center, Palm Bay, Florida.	

2.4 Hawaii State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Hawaii.

2.4.1 Energy Agreement between the State of Hawaii and Hawaiian Electric

On 20 October 2008, an agreement between the State of Hawaii and Hawaii Electric Companies and other agencies was established to reduce the state's dependence on fossil fuels for electricity and ground transportation. Under the agreement, 70 percent of Hawaii's energy should come from clean energy sources by the year 2030.

Key to the success of the Energy Agreement are partnerships with major stakeholders such as state agencies and industrial sectors. Hawaii's consumers also will play a role through options and incentive programs designed to help them to reduce electricity usage. Further information regarding the agreement is available on the Hawaii Department of Business, Economic Development, and Tourism [website](#).

2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD103108-1	Air-NAAQS PM2.5	10/22/2008	73 FR 62945	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; The Metropolitan Washington Nonattainment Area; Determination of Attainment of the Fine Particle Standard (40 CFR Part 52) EPA proposes to determine that the Metropolitan Washington, D.C.- MD-VA nonattainment area (including Prince Georges County) has attained the 1997 PM2.5 NAAQS and continues to attain the standard based on data through 2008. If EPA finalizes this determination, it would suspend the requirements for this area to submit an attainment demonstration and associated reasonably available control measures, a reasonable further progress plan, contingency measures, and any other planning SIPs related to attainment of the 1997 PM2.5 NAAQS, so long as the area continues to attain the 1997 PM2.5 NAAQS. Comments due 11/21/2008.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD103108-2	Air Stationary Internal Combustion Engines	10/24/2008	35:22 Md.R 1980	Proposed Action	<p>Department of the Environment</p> <p>Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-burning Installations</p> <p>MDE proposes to amend Regulation .01 and adopt new Regulation .08-1 under COMAR 26.11.09 to establish NO_x emission requirements for stationary ICEs that are used as emergency generators or load shaving units, as defined in COMAR 26.11.09.01. The proposed action would do the following:</p> <ul style="list-style-type: none"> Prohibit emergency generators from testing between 12:01 a.m. to 2 p.m. on high ozone days. Require existing load shaving units to control NO_x emissions, install new engines that meet federal NSPSs, or limit operation to a total of 10 hours during any ozone season. Require new load shaving units to meet NSPS or to install controls to meet applicable NO_x emission standards. Allow groups of small generators to request alternative compliance methods. Provide an alternative compliance option for load shaving units that involves the purchase of NO_x allowances to be retired. <p>Control device systems for smaller diesel generators range from \$45,000 to \$180,000; larger systems range from \$250,000 to \$300,000. The purchase of a new, cleaner engine meeting EPA's NSPS standard would cost in the range of \$65,000 to \$150,000. Seasonal NO_x allowances cost \$650 per ton. Comments due 11/25 /2008. A public hearing is planned for 11/25/2008.</p>	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in New Mexico.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM103108-1	Hazardous Waste	10/28/2008	73 FR 63897	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>RCRA; Approval of State Hazardous Waste Management Program; New Mexico; [40 CFR Part 272]</p> <p>Announces approval of the New Mexico Hazardous Waste Management Program. The approval places the state's statutes and regulations that comprise the state's authorized hazardous waste management program into the CFR, and authorizes the state's hazardous waste management program to operate in lieu of the federal hazardous waste management regulatory program. Effective 12/29/2008.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM103108-2	Radiation Protection	01/30/2008	NM Register Vol. XIX, p. 947	Proposed Rule Notice of Hearing	<p>New Mexico Environmental Improvement Board 20.3 NMAC Radiation</p> <p>Announces a public hearing to discuss revisions to the New Mexico Radiation regulations. Proposes to revise the following:</p> <ul style="list-style-type: none"> ▪ 20.3.1 NMAC–General Provisions ▪ 20.3.3 NMAC–Licensing of Radioactive Materials ▪ 20.3.4 NMAC–Standards for Protection against Radiation ▪ 20.3.7 NMAC–Medical Use of Radionuclides ▪ 20.3.13 NMAC–Licensing Requirements for Land Disposal of Radioactive Waste ▪ 20.3.15 NMAC–Licenses and Radiation Safety Requirements for Irradiators <p>The hearing will be held on 01/05/2009 at Porter Hall in Santa Fe, New Mexico. Further information and the text of the proposed amendments are available on the rulemaking website.</p>	WSTF should be aware of the proposed revisions.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH103108-1	Air Permit to Install	10/31/2008	Public Notice	Final Permit Issued	<p>Division of Air Pollution Control, OEPA</p> <p>Final Issuance of Permit to Install–NASA John H. Glenn Research Center–Lewis Field</p> <p>OEPA issued a final Air Pollution Control PTI for an air contaminant source, identification number 13-04747, at GRC. Effective 10/29/2008.</p>	GRC should be aware of the final PTI.

2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX103108-1	Hazardous Waste	10/29/2008	73 FR 64252	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Texas: Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program [40 CFR Parts 271 and 272]</p> <p>Authorizes state-initiated changes to the Texas hazardous waste program. During a review of Texas' regulations, EPA identified a variety of state-initiated changes under RCRA. EPA has determined that these changes are minor and satisfy all requirements needed to qualify for final authorization. Effective 12/29/2008 unless adverse comment received by 11/29/2008.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX103108-2	Storage Tanks USTs and ASTs	10/24/2008	33 TexReg 8790	Adopted Rule	<p>Texas Commission on Environmental Quality</p> <p>Underground and Aboveground Storage Tanks [30 TAC §334]</p> <p>Adopts amendments to incorporate state statute and federal regulation changes and to update certain technical requirements pertaining to USTs. Changes include such items as the requirement of proof of financial assurance to be included with annual tank self-certifications; the cessation of annual facility fees; secondary containment for UST systems; and extension of the Petroleum Storage Tank Reimbursement Program for 4 years. Changes the definition of "Motor fuel" and the definition of "Petroleum Product" to incorporate alcohol-blended fuels and biodiesel blended with Number 1 and Number 2 diesel. Effective 10/30/2008.</p>	

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Utah.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT103108-1	Air Quality PSD	11/01/2008	UT Bull. Vol. 2008-21, DAR File No. 32042	Proposed Rule	<p>Utah Department of Environmental Quality, Division of Air Quality</p> <p>Permits: Major Sources in Attainment or Unclassified Areas (PSD) [UAC R307-405-2]</p> <p>Proposes to update the federal regulatory citations and requirements referenced in the existing rule to the most recent versions. Comments due 12/01/2008.</p>	
UT103108-2	Radiation Control General Licenses	11/01/2008	UT Bull. Vol. 2008-21, DAR File No. 32046	Notice	<p>Utah Department of Environmental Quality, Division of Radiation Control</p> <p>Radiation Control: General Licenses [UAC R313-21]</p> <p>Notice of continuation under the 5-year review process. The Utah Radiation Control Board intends to continue requiring licenses for radiation sources subject to a general license.</p>	
UT103108-3	Radiation Control General Licenses	11/01/2008	UT Bull. Vol. 2008-21, DAR File No. 32050	Proposed Rule	<p>Utah Department of Environmental Quality, Division of Radiation Control</p> <p>Radiation Control: General Licenses [UAC R313-21]</p> <p>Proposes various revisions to the rule to ensure compatibility with requirements of the NRC. Comments due 12/01/2008.</p>	
UT103108-4	Radiation Control Well Logging	11/01/2008	UT Bull. Vol. 2008-21, DAR File No. 32047	Notice	<p>Utah Department of Environmental Quality, Division of Radiation Control</p> <p>Licenses and Radiation Safety Requirements for Well Logging, Clarifications, and Exceptions [UAC R313-38-3]</p> <p>Notice of continuation under the 5-year review process. The Utah Radiation Control Board intends to continue requiring licenses for radiation sources used in well logging operations.</p>	
UT103108-5	Radiation Control Well Logging	11/01/2008	UT Bull. Vol. 2008-21, DAR File No. 32049	Proposed Rule	<p>Utah Department of Environmental Quality, Division of Radiation Control</p> <p>Licenses and Radiation Safety Requirements for Well Logging, Clarifications, or Exceptions [UAC R313-38-3]</p> <p>Proposes to update the federal regulation citations incorporated by reference into the existing rule to the most recent version. Comments due 12/01/2008.</p>	

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA103108-1	Air Quality SIP	10/22/2008	73 FR 62893	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Virginia; Major New Source Review for Nonattainment Areas [40 CFR Part 52] Finalizes EPA's limited approval of certain Virginia SIP revisions regarding the New Source Review program. Effective 11/21/2008.	
VA103108-2	Air Quality SIP	10/22/2008	73 FR 62897	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Virginia; Virginia Major New Source Review, PSD [40 CFR Part 52] EPA is granting limited approval of certain revisions to Virginia's SIP regarding the PSD program. Effective 11/21/2008.	
VA103108-3	Air Quality SIP	10/29/2008	73 FR 64210	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Virginia; Movement of Richmond and Hampton Roads 8-Hour Ozone Areas from the Nonattainment Area List to the Maintenance Area List [40 CFR Part 52] Final approval of revisions to Virginia's SIP. Moves Richmond and Hampton Roads 8-Hour Ozone Nonattainment Areas from the nonattainment areas list to the maintenance areas list. Effective 12/29/2008.	
VA103108-4	Storage Tanks ASTs	10/27/2008	25:4 Va.R 761	Final Rule Correction	State Water Control Board 9VAC25-640--Aboveground Storage Tank and Pipeline Facility Financial Responsibility Requirements Administrative corrections to final amendments originally published in the Virginia Register on 09/29/2008 (25:2 Va.R 206).	
VA103108-5	Water Storm Water	10/27/2008	25:4 Va.R 590	Proposed Rule Notice of Hearings	Virginia Soil and Water Conservation Board 4 VAC50-60--Virginia Storm Water Management Program Permit Regulations Proposes to amend the Virginia VSMP general permit regulations for storm water discharges from construction activities. Public hearings are planned as follows: <ul style="list-style-type: none"> 12/02/2008--Manassas, Virginia 12/03/2008--Roanoke, Virginia 12/10/2008--Williamsburg, Virginia Comments due 12/26/2008.	
VA103108-6	Water Surface Water	10/27/2008	25:4 Va.R 627	Final Rule	Chesapeake Bay Local Assistance Board 4VAC10-10, 4VAC10-11 Promotes public involvement in the development, amendment, or repeal of the regulations of the Chesapeake Bay Local Assistance Board. Effective 11/26/2008.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA103108-7	Water Surface Water	10/27/2008	Public Notice	Notice	Virginia Department of Environmental Quality Notice of Public Comment for a Total Maximum Daily Load Study in Pocomoke Sound/Pocomoke River, Accomack County Solicits comments on a draft water quality report for Pocomoke Sound and Pocomoke River in Accomack County. The study develops TMDLs for the impaired waters. Comments due 12/11/2008. Further information is available on VDEQ's TMDL website.	